

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name, that I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention, design or discovery entitled PROCESSING DIVERSITY SIGNALS AT A MOBILE DEVICE USING PHASE ADJUSTMENTS, the specification of which was filed on April 14, 2004 as Application Serial No. 10/824,179;

That I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above; that I do not know and do not believe that said invention, design or discovery was ever known or used in the United States of America before my invention or discovery thereof, or patented or described in any printed publication in any country before my invention or discovery thereof, or more than one year prior to this application, or in public use or on sale in the United States of America more than one year prior to this application; that said invention, design or discovery has not been patented or made the subject of an inventor's certificate issued prior to the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns; and that I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Number	Country	Date Filed	Priority Claimed (Yes) (No)
-----NONE-----			

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not

disclosed in the prior United States application(s) in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

Application
Serial Number

Date Filed

Status

-----NONE-----

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

60/462,625
(Application No.)

April 14, 2003
(Filing Date)

I hereby appoint:

Practitioners at Customer Number **05073**

all of the firm of Baker Botts L.L.P., my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, and to file and prosecute any international patent applications filed thereon before any international authorities.

Send Correspondence To:

Barton E. Showalter
The above-mentioned Customer Number

Direct Telephone Calls To:

Barton E. Showalter
at 214.953.6509
Atty. Docket No. 074078.0119

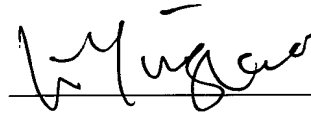
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the

United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full name of the sole inventor:

Yingxue Li

Inventor's signature



Date

06/18/04

Residence (City, County, State)

Bethlehem, Northampton County, Pennsylvania

Citizenship

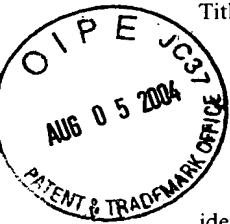
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Post Office Address

3068B Linden Street
Bethlehem, Pennsylvania 18017

Applicant or Patentee: Yingxue Li
Serial or Patent No. 10/824,179
Date Filed: April 14, 2004
Title: PROCESSING DIVERSITY SIGNALS AT A MOBILE
DEVICE USING PHASE ADJUSTMENTS

Attorney's Docket 074078.0119



**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.27(a)(2)) – SMALL BUSINESS CONCERN**

I hereby declare that I am an official of the small business concern empowered to act on behalf of the concern identified below:

Name of Small Business Concern: Magnolia Broadband Inc.
Address of Small Business Concern: 64 Old Highway 22, Suite 301
Clinton, New Jersey 08809

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121, and in 37 CFR 1.27(a), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either one concern controls, directly or indirectly, or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled PROCESSING DIVERSITY SIGNALS AT A MOBILE DEVICE USING PHASE ADJUSTMENTS by inventor, Yingxue Li, described in Application Serial No. 10/824,179, filed April 14, 2004.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.27(a)(1) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.27(a)(2), or a nonprofit organization under 37 CFR 1.27(a)(3):

NONE

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.27(g)(2)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing: William Reinisch
Title of Person if other than owner: Senior Vice President
Address of Person Signing: 64 Old Highway 22
Suite 301
Clinton, New Jersey 08809

Signature:

William Reinisch

Date:

June 18, 2004